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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/663,885	09/15/2000	Jeannette Whitcomb	63122/JPW/CMR

FORMALITIES LETTER

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036



OC000000005520000

Date Mailed: 10/31/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- **The balance due by applicant is \$ 65.**

The following item(s) appear to have been omitted from the application:

- Figure(s) **Figure 10** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

M. Hargrave
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



#3 Sector \$

Dkt. 2793/63122/JPW/JML/CMR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeannette Whitcomb
Serial No. : 09/663,885
Filing Date : September 15, 2000
For : MEANS AND METHODS FOR MONITORING NON-NUCLEOSIDE REVERSE TRANSCRIPTASE INHIBITOR ANTIRETROVIRAL THERAPY

1185 Avenue of the Americas
New York, New York 10036
January 5, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts
Application Processing Division
Special Processing and Correspondence Branch

Sir:

**COMMUNICATION IN RESPONSE
TO OCTOBER 31, 2000 NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)
AND A PETITION FOR A ONE-MONTH EXTENSION OF TIME**

This Communication is submitted in response to the October 31, 2000 Notice to File Missing Parts of Application issued by the United States Patent and Trademark office in connection with the above-identified application. A copy of the Notice is enclosed herewith as **Exhibit A**. A response to the October 31, 2000 Notice was originally due December 31, 2000. Applicant hereby petition for a one-month extension of time to respond to the October 31, 2000 Notice. The fee for a one-month extension of time for a small entity is FIFTY-FIVE DOLLARS (\$55.00) and a check in this amount is enclosed. Therefore, a response to the October 31, 2000 Notice is now due on January 31, 2001. Accordingly, this Communication is being timely filed.

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Applicants: Jeannette Whitcomb
Serial No.: 09/663,885
Filed: September 15, 2000
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In response to the October 31, 2000 Notice, applicants attach hereto as **Exhibit B**, an original Declaration and Power of Attorney signed by Jeannette Whitcomb. The Declaration refers to the application's above-identified serial number and filing date. The surcharge for submitting the Declaration and Power of Attorney under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00).

No fee, other than SIXTY FIVE DOLLARS (\$65.00) and the FIFTY FIVE DOLLARS (\$55.00) for a One-Month Extension of Time is deemed necessary in connection with the filing of this Communication. If any other fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Washington, D.C. 20231.

 John P. White
Reg. No. 28,678

Date